

**MINUTES  
COLUMBUS BOARD OF ZONING APPEALS  
JULY 28, 2015  
COUNCIL CHAMBERS, 2<sup>nd</sup> FLOOR, CITY HALL  
123 WASHINGTON STREET  
COLUMBUS, INDIANA**

**Members Present:** Eric Frey Chairperson; Tony London, Wayne Nyffeler  
And Hanna Omar.

**Members absent:** Dave Fisher.

**Staff Present:** Melissa Begley, Emilie Pinkston, Ashley Klingler, Allie Keen  
Planning Department; Stephanie Carr, Code Enforcement  
And Don Edward, (Deputy City Attorney).

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**ROLL CALL**

**PUBLIC MEETING**

Eric Frey Chairperson opened the meeting with a brief explanation about the Board and its responsibilities.

Proof of advertising for all cases was confirmed. The petitions and staff comments are a permanent record at the Planning Department.

Don Edwards, Deputy City Attorney, administered the oath to all in attendance that would be speaking.

**OLD BUSINESS REQUIRING BOARD ACTION**

**None**

**NEW BUSINESS REQUIRING BOARD ACTION**

**C/DS-15-12: Debora Chandler**

A request by Debora Chandler for a development standards variances from (1) Zoning Ordinance Section 3.5(C) to allow a side setback for an accessory structure (a barn) to be 10 feet, 20 feet less than the 30 foot minimum setback, (2) Zoning Ordinance Section 3.5(C) to allow a side setback for an accessory structure to be 5 feet, 10 feet less than the 15 foot minimum setback. The property is located at 4630 North 500 East, in Clay Township.

Deborah Chandler and Ted Darnell stated their names for the record.

Allie Keen presented the staff presentation.

The meeting was open to the public.

There was no one to speak at the public hearing; therefore the meeting was closed to the public.

Hanna Omar made a motion to approve **C/DS-15-12** for variance request number 1 to allow a side setback to be less than what the Ordinance says based on findings of fact as presented by staff. Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 4-0.

Wayne Nyffeler made a motion to approve **C/DS-15-12** for variance request number 2 to allow side setback for an accessory structure to less than the minimum setback based on the findings of fact as presented by staff. Ms. Omar seconded the motion and it carried with a vote of 4-0.

Hanna Omar made a motion to approve **C/DS-15-12** for variance request number 3 to allow a parcel to be less than 1 acre minimum regulated by the Ordinance based on the findings of fact as presented by staff. Mr. London seconded the motion and it carried with a vote of 4-0. Tony London seconded the motion. Motion passed by a voice vote of 4-0.

**C/DS-15-14: Joseph Bush**

A request by Joseph Bush for development standards variances from (1) Zoning Ordinance Section 3.5(C) to allow a side setback for an accessory structure (a shed) to be 3.4 feet, 11.6 feet less than the 15 foot minimum setback, (2) Zoning Ordinance Section 3.5(C) to allow a side setback for an accessory structure to be 4.9 feet, 10.1 feet less than the 15 foot minimum setback and (3) Zoning Ordinance Section 3.5(C) to allow a parcel to be .45 acres in size .55 acres less than the 1 acre minimum. The property is located at 575 South National Road, in Clay Township.

Rik Sanders stated his name for the record.

Allie Keen presented the staff presentation.

The meeting was open to the public.

There was no one to speak at the public hearing therefore the meeting was closed to the public.

Tony London made a motion to approve **C/DS-15-14** variance number 1 to allow a side setback to be less than the minimum setback based on the findings as presented by staff. Hanna Omar seconded the motion. Motion passed by a voice vote of 4-0.

Hanna Omar made a motion to approve **C/DS-15-15** variance request number 2 to allow a side setback for any accessory structure to less than the minimum setback based on the findings of fact as presented by staff. Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 4-0.

Wayne Nyffeler made a motion to approve **C/DS-15-15** variance request number to allow a side setback for an accessory structure less than the minimum setback based on the findings of fact as presented by staff. Tony London seconded the motion. Motion passed by a voice vote of 4-0.

**C/DS-15-09: John Baron**

A request by John Baron for a development standards variance from Zoning Ordinance Section 9.3 (C) to allow a side fence in a front yard, along 18<sup>th</sup> Street, to be 6 feet in height, 30 inches taller than the maximum 43 inches. The property is located at 1803 Home Avenue, in the City of Columbus.

John Baron stated his name for the record.

Emilie Pinkston presented the staffs presentation.

The meeting was open to the public.

There was no one to speak at the public hearing therefore the meeting was closed.

Hanna Omar made a motion to approve **C/DS-15-09** based on the findings of fact as presented by staff for variance request. Tony London seconded the motion. Motion passed by a voice vote of 4-0.

**C/DS-15-13: Blairex**

A request by Blairex for development standards variance from (1) Zoning Ordinance Section 7.3(Part 2) (A) to waive the requirement to install a public sidewalk along the frontage of Indianapolis Road and (2) Zoning Ordinance Section 8.1(C) (2) to waive the requirement to install a public sidewalk along the frontage of Indianapolis Road and (2) Zoning Ordinance Section 9.1(C) (2) to waive the requirement to install Area #2-Parking Lot Interior landscaping. The property is located at 1600 Brian Drive, in the City of Columbus.

George Breeden stated his name for the record.

Ashley Klingler presented the staff presentation.

The meeting was opened to the public.

There was no one to speak at the public present hearing; therefore the meeting was closed to the public.

Tony London made a motion to approve **C/DS-15-13: (1) Variance from Zoning Ordinance Section 7.3 (Part 2) (A) the purpose of waiving requirement to install a public sidewalk along the frontage of Indianapolis Road, agreeing with staff's findings.** Ms. Omar seconded the motion and it carried by a voice vote of 4-0.

Hanna Omar made a motion to approve **C/DS-15-13: (2) Variance from Zoning Ordinance Section 8.1(C) (2) is for the purpose of waiving the requirement to install Area #2-Parking Lot Interior landscaping, agreeing with staff's findings.** Mr. London seconded the motion and it carried with a vote of 4-0.

**C/UV-15-04: Columbus Township (Love Chapel)**

A request by Columbus Township for a use variance from Zoning Ordinance Section 3.20(A) to allow a shared housing facility in the CC (Commercial: Community) zoning district. The property is located at 421 S. Mapleton Street, in the City of Columbus, Indiana.

Ms. Pinkston presented the background information on this request.

Ben Jackson, Columbus Township Trustee and Elizabeth Kessler with Love Chapel stated their names into the record.

The meeting was open to the public.

Dascal Bunch, City Council member, stated that he represented the neighbors and most were opposed to the variance request. He said the neighbors thought it would cause vandalism there.

Janet Gross was opposed to the request. She said she was a business owner and it would Hurt the neighborhood and the business.

Deborah Holt spoke in favor of the petition and said it was a great location for the shelter.

Lynn Shattendale was opposed to the petition and said that sex offenders would be discriminated against because of the park nearby and they needed a better location.

Kenny Whipker City Councilman at large stated he had received several e-mails opposing the request and thought crime in the neighborhood might present a problem.

Mike Bodart has rental property and was afraid that the business would suffer because of the location.

Linda Zakarian was in support of the petition.

Kermit Pyroke was in support of the petition.

Nell Watts was in support of the variance request.

The meeting was closed to the public.

Eric Frey made a motion to approve **C/UV-15-04** based on the findings of fact as presented by staff. Hanna Omar seconded the motion. Motion passed by a voice vote of 4-0.

#### **FINDINGS OF FACT**

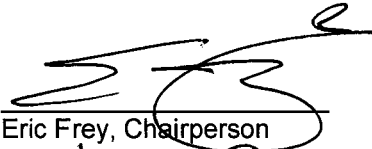
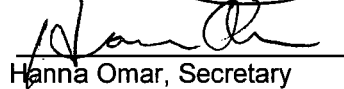
The Findings of Fact and Minutes of the June 23, 2015 were forward to the next meeting for approval.

#### **DISCUSSION**

None

#### **ADJOURNMENT**

There being no other business the meeting was adjourned at 8:35.

  
Eric Frey, Chairperson  
  
Hanna Omar, Secretary